

E-filing

AO 440 (Rev. 03/08) Civil Summons

**FILED**  
**APR -2 AM 10:11**  
**UNITED STATES DISTRICT COURT**

for the

Northern District of California

FEDERAL TRADE COMMISSION

Plaintiff

v.

NEXTCLICK MEDIA, LLC, et. al.

Defendant

CV 08

Civil Action No.

1718

WDB

NRW

**Summons in a Civil Action**To: ALBERT CHEN

(Defendant's name)

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

JANICE L. CHARTER, ATTORNEY  
 FEDERAL TRADE COMMISSION  
 901 MARKET STREET, SUITE 570  
 SAN FRANCISCO, CA 94103

If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: MAR 31 2008

Richard W. Wieking

Name of clerk of court  
JELLEN L. REMACHEN

Deputy clerk's signature

(Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States allowed 60 days by Rule 12(a)(3).)

Attorney or Party without Attorney: <b>Janice L. Charter, Esq.</b> <b>FEDERAL TRADE COMMISSION</b> <b>901 Market Street, Suite 570</b> <b>San Francisco, CA 94103</b> Attorney for: Plaintiff	Telephone <b>(415) 848-5100</b>	
Name of Court: <b>United States District Court – Northern District of California</b>		
Short Case Title: <b>Federal Trade Commission v. Nextclick Media, LLC., et al</b>		
<b>PROOF OF SERVICE</b>		<b>Case Number: CV 08 1718 VRW</b>

1. At the time of service I was at least 18 years of age and not a party to this action, and I served copies of the: SEE ATTACHMENT
2. a. Party Served: Albert Chen  
b. Person Served: Albert Chen
3. I served the person named in item 2b  
a. by personally delivering the copies on:
  - (1) DATE: May 31, 2008
  - (2) TIME: 4:32pm
  - (3) ADDRESS: 303 2<sup>nd</sup> Street, Suite 375 South  
San Francisco, CA 94107

4. Witness fees were not demanded or paid.

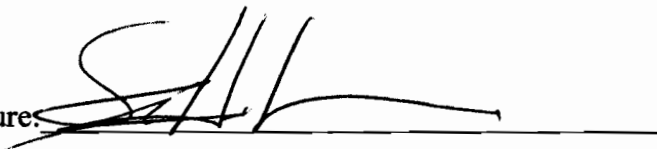
Fee for Service: \$30.00

Person Serving: Sean Hanlon

SpinCycle Legal Services  
 760 Bryant Street, 2<sup>nd</sup> Floor  
 San Francisco, CA 94107  
 (415) 487-0400

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATE: May 31, 2008 Signatures



**ATTACHMENT TO PROOF OF SERVICE – DOCUMENTS SERVED**

**United States District Court – Northern District of California**

**Federal Trade Commission v. Nextclick Media, LLC, et al, Case No. CV 08 1718 VRW**

1. SUMMONS IN A CIVIL CASE;
2. COMPLAINT FOR INJUNCTIVE AND OTHER EQUITABLE RELIEF;
3. ECF REGISTRATION INFORMATION HANDOUT;
4. PLAINTIFF'S MOTION FOR A TEMPORARY RESTRAINING ORDER WITH ASSET FREEZE, APPOINTMENT OF RECEIVER, ORDER TO SHOW CAUSE WHY A PRELIMINARY INJUNCTION SHOULD NOT ISSUE, AND OTHER EQUITABLE RELIEF;
5. MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF PLAINTIFF'S APPLICATION FOR A TEMPORARY RESTRAINING ORDER, PRELIMINARY INJUNCTION, AND OTHER EQUITABLE RELIEF;
6. EVIDENCE IN SUPPORT OF PLAINTIFF'S APPLICATION FOR A TEMPORARY RESTRAINING ORDER ASSET FREEZE, APPOINTMENT OF RECEIVER, ORDER TO SHOW CAUSE WHY A PRELIMINARY INJUNCTION SHOULD NOT ISSUE, AND OTHER EQUITABLE RELIEF – VOLUME I;
7. EVIDENCE IN SUPPORT OF PLAINTIFF'S APPLICATION FOR A TEMPORARY RESTRAINING ORDER ASSET FREEZE, APPOINTMENT OF RECEIVER, ORDER TO SHOW CAUSE WHY A PRELIMINARY INJUNCTION SHOULD NOT ISSUE, AND OTHER EQUITABLE RELIEF – VOLUME II;
8. [PROPOSED] TEMPORARY RESTRAINING ORDER ASSET FREEZE, APPOINTMENT OF RECEIVER, AND OTHER EQUITABLE RELIEF, AND ORDER TO SHOW CAUSE WHY A PRELIMINARY INJUNCTION SHOULD NOT ISSUE;
9. [PROPOSED] PRELIMINARY INJUNCTION;
10. PLAINTIFF'S RECOMMENDATION FOR TEMPORARY RECEIVER;
11. CONSENT TO RELEASE OF FINANCIAL RECORDS [BLANK];
12. FEDERAL TRADE COMMISSION FINANCIAL STATEMENT OF INDIVIDUAL DEFENDANT [BLANK];
13. FEDERAL TRADE COMMISSION FINANCIAL STATEMENT OF CORPORATE DEFENDANT [BLANK]

Attorney or Party without Attorney: Janice L. Charter, Esq. FEDERAL TRADE COMMISSION 901 Market Street, Suite 570 San Francisco, CA 94103 Attorney for: Plaintiff	Telephone (415) 848-5100	
Name of Court: United States District Court – Northern District of California		
Short Case Title: Federal Trade Commission v. Nextclick Media, LLC., et al		
PROOF OF SERVICE		Case Number: CV 08 1718 VRW

1. At the time of service I was at least 18 years of age and not a party to this action, and I served copies of the: ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; ORDER SETING CASE MANAGEMENT CONFERENCE [BLANK]; STANDING ORDER FOR ALL JUDGES OF THE NORTHERN DISTRICT OF CALIFORNIA REGARDING CONTENTS OF JOINT CASE MANAGEMENT STATEMENT; CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE [BLANK]
2. a. Party Served: Albert Chen  
 b. Person Served: Aryn Pedowitz, Corporate Counsel, Authorized to Accept Service on Behalf
3. I served the person named in item 2b  
 a. by personally delivering the copies on:  
 (1) DATE: April 1, 2008  
 (2) TIME: 1:50pm  
 (3) ADDRESS: 303 2<sup>nd</sup> Street, Suite 375 South  
 San Francisco, CA 94107
4. Witness fees were not demanded or paid.

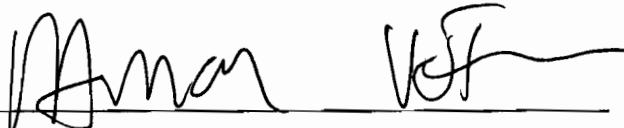
Fee for Service: \$30.00

Person Serving: Damon Votour  
 Registered California Process Server  
 County: San Francisco Registration #: 1034

SpinCycle Legal Services  
 760 Bryant Street, 2<sup>nd</sup> Floor  
 San Francisco, CA 94107  
 (415) 487-0400

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATE: April 1, 2008 Signature: \_\_\_\_\_



E-filing

AO 440 (Rev. 03/08) Civil Summons

UNITED STATES DISTRICT COURT

for the

Northern District of California

FEDERAL TRADE COMMISSION

Plaintiff

v.

NEXTCCLICK MEDIA, LLC, et. al.

Defendant

CV 08

Civil Action No.

1718

Summons in a Civil Action

To: KENNETH CHAN

(Defendant's name)

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

JANICE L. CHARTER, ATTORNEY  
FEDERAL TRADE COMMISSION  
901 MARKET STREET, SUITE 570  
SAN FRANCISCO, CA 94103

If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: MAR 31 2008

Richard W. Wieking

Name of clerk of court

HELEN L. ALMAGEN

Deputy clerk's signature

(Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States allowed 60 days by Rule 12(a)(3).)



Attorney or Party without Attorney: Janice L. Charter, Esq. FEDERAL TRADE COMMISSION 901 Market Street, Suite 570 San Francisco, CA 94103 Attorney for: Plaintiff	Telephone (415) 848-5100	
Name of Court: United States District Court – Northern District of California		
Short Case Title: Federal Trade Commission v. Nextclick Media, LLC., et al		
PROOF OF SERVICE		Case Number: CV 08 1718 VRW

1. At the time of service I was at least 18 years of age and not a party to this action, and I served copies of the: SEE ATTACHMENT
2. a. Party Served: Kenneth Chan  
b. Person Served: Kenneth Chan
3. I served the person named in item 2b
  - a. by personally delivering the copies on:
    - (1) DATE: May 31, 2008
    - (2) TIME: 4:32pm
    - (3) ADDRESS: 303 2<sup>nd</sup> Street, Suite 375 South  
San Francisco, CA 94107

4. Witness fees were not demanded or paid.

Fee for Service: \$30.00

Person Serving: Sean Hanlon

SpinCycle Legal Services  
 760 Bryant Street, 2<sup>nd</sup> Floor  
 San Francisco, CA 94107  
 (415) 487-0400

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATE: May 31, 2008 Signature: \_\_\_\_\_



**ATTACHMENT TO PROOF OF SERVICE – DOCUMENTS SERVED**

**United States District Court – Northern District of California**

**Federal Trade Commission v. Nextclick Media, LLC, et al, Case No. CV 08 1718 VRW**

1. SUMMONS IN A CIVIL CASE;
2. COMPLAINT FOR INJUNCTIVE AND OTHER EQUITABLE RELIEF;
3. ECF REGISTRATION INFORMATION HANDOUT;
4. PLAINTIFF'S MOTION FOR A TEMPORARY RESTRAINING ORDER WITH ASSET FREEZE, APPOINTMENT OF RECEIVER, ORDER TO SHOW CAUSE WHY A PRELIMINARY INJUNCTION SHOULD NOT ISSUE, AND OTHER EQUITABLE RELIEF;
5. MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF PLAINTIFF'S APPLICATION FOR A TEMPORARY RESTRAINING ORDER, PRELIMINARY INJUNCTION, AND OTHER EQUITABLE RELIEF;
6. EVIDENCE IN SUPPORT OF PLAINTIFF'S APPLICATION FOR A TEMPORARY RESTRAINING ORDER ASSET FREEZE, APPOINTMENT OF RECEIVER, ORDER TO SHOW CAUSE WHY A PRELIMINARY INJUNCTION SHOULD NOT ISSUE, AND OTHER EQUITABLE RELIEF – VOLUME I;
7. EVIDENCE IN SUPPORT OF PLAINTIFF'S APPLICATION FOR A TEMPORARY RESTRAINING ORDER ASSET FREEZE, APPOINTMENT OF RECEIVER, ORDER TO SHOW CAUSE WHY A PRELIMINARY INJUNCTION SHOULD NOT ISSUE, AND OTHER EQUITABLE RELIEF – VOLUME II;
8. [PROPOSED] TEMPORARY RESTRAINING ORDER ASSET FREEZE, APPOINTMENT OF RECEIVER, AND OTHER EQUITABLE RELIEF, AND ORDER TO SHOW CAUSE WHY A PRELIMINARY INJUNCTION SHOULD NOT ISSUE;
9. [PROPOSED] PRELIMINARY INJUNCTION;
10. PLAINTIFF'S RECOMMENDATION FOR TEMPORARY RECEIVER;
11. CONSENT TO RELEASE OF FINANCIAL RECORDS [BLANK];
12. FEDERAL TRADE COMMISSION FINANCIAL STATEMENT OF INDIVIDUAL DEFENDANT [BLANK];
13. FEDERAL TRADE COMMISSION FINANCIAL STATEMENT OF CORPORATE DEFENDANT [BLANK]

Attorney or Party without Attorney: Janice L. Charter, Esq. FEDERAL TRADE COMMISSION 901 Market Street, Suite 570 San Francisco, CA 94103 Attorney for: Plaintiff	Telephone (415) 848-5100	
Name of Court: United States District Court – Northern District of California		
Short Case Title: Federal Trade Commission v. Nextclick Media, LLC., et al		
PROOF OF SERVICE		Case Number: CV 08 1718 VRW

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2. a. Party Served: Kenneth Chan  
 b. Person Served: Aryn Pedowitz, Corporate Counsel, Authorized to Accept Service on Behalf
3. I served the person named in item 2b  
 a. by personally delivering the copies on:  
 (1) DATE: April 1, 2008  
 (2) TIME: 1:50pm  
 (3) ADDRESS: 303 2<sup>nd</sup> Street, Suite 375 South  
 San Francisco, CA 94107
4. Witness fees were not demanded or paid.

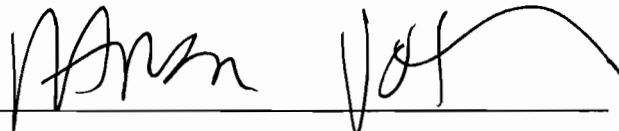
Fee for Service: \$30.00

Person Serving: Damon Votour  
 Registered California Process Server  
 County: San Francisco Registration #: 1034

SpinCycle Legal Services  
 760 Bryant Street, 2<sup>nd</sup> Floor  
 San Francisco, CA 94107  
 (415) 487-0400

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DATE: April 1, 2008 Signature: \_\_\_\_\_





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MAR -2 AM 10:11  
CLERK U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

AO 440 (Rev. 03/08) Civil Summons

UNITED STATES DISTRICT COURT

for the

Northern District of California

FEDERAL TRADE COMMISSION

Plaintiff

v.

NEXTCCLICK MEDIA, LLC, et. al.

Defendant

CV 08

Civil Action No.

1718

~~WDB~~

VRW

Summons in a Civil Action

To: NEXT INTERNET, LLC  
(Defendant's name)

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

JANICE L. CHARTER, ATTORNEY  
FEDERAL TRADE COMMISSION  
901 MARKET STREET, SUITE 570  
SAN FRANCISCO, CA 94103

If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: MAR 31 2008

Richard W. Wieking

Name of clerk of court

HELEN L. ALMAGEN

Deputy clerk's signature

(Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States allowed 60 days by Rule 12(a)(3).)

Attorney or Party without Attorney: Janice L. Charter, Esq. FEDERAL TRADE COMMISSION 901 Market Street, Suite 570 San Francisco, CA 94103 Attorney for: Plaintiff	Telephone (415) 848-5100	
Name of Court: United States District Court – Northern District of California		
Short Case Title: Federal Trade Commission v. Nextclick Media, LLC., et al		
PROOF OF SERVICE		Case Number: CV 08 1718 VRW

1. At the time of service I was at least 18 years of age and not a party to this action, and I served copies of the: SEE ATTACHMENT
2. a. Party Served: Next Internet, LLC  
 b. Person Served: Aryn Pedowitz, Corporate Counsel, Authorized to Accept Service on Behalf
3. I served the person named in item 2b  
 a. by personally delivering the copies on:  
 (1) DATE: May 31, 2008  
 (2) TIME: 4:32pm  
 (3) ADDRESS: 303 2<sup>nd</sup> Street, Suite 375 South  
 San Francisco, CA 94107


4. Witness fees were not demanded or paid.

Fee for Service: \$30.00

Person Serving: Sean Hanlon

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- 9. [PROPOSED] PRELIMINARY INJUNCTION;**
- 10. PLAINTIFF’S RECOMMENDATION FOR TEMPORARY RECEIVER;**
- 11. CONSENT TO RELEASE OF FINANCIAL RECORDS [BLANK];**
- 12. FEDERAL TRADE COMMISSION FINANCIAL STATEMENT OF INDIVIDUAL DEFENDANT [BLANK];**
- 13. FEDERAL TRADE COMMISSION FINANCIAL STATEMENT OF CORPORATE DEFENDANT [BLANK]**

Attorney or Party without Attorney: Janice L. Charter, Esq. FEDERAL TRADE COMMISSION 901 Market Street, Suite 570 San Francisco, CA 94103 Attorney for: Plaintiff	Telephone (415) 848-5100	
Name of Court: United States District Court – Northern District of California		
Short Case Title: Federal Trade Commission v. Nextclick Media, LLC., et al		
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2. a. Party Served: Next Internet, LLC  
 b. Person Served: Aryn Pedowitz, Corporate Counsel, Authorized to Accept Service on Behalf
3. I served the person named in item 2b  
 a. by personally delivering the copies on:  
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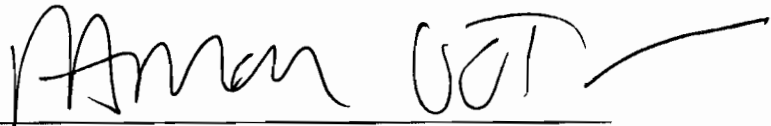
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Person Serving: Damon Votour  
 Registered California Process Server  
 County: San Francisco Registration #: 1034

SpinCycle Legal Services  
 760 Bryant Street, 2<sup>nd</sup> Floor  
 San Francisco, CA 94107  
 (415) 487-0400

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATE: April 1, 2008 Signature: \_\_\_\_\_



E-filing

FILED

08 APR -2 AM 10:10

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

AO 440 (Rev. 03/08) Civil Summons

## UNITED STATES DISTRICT COURT

for the

Northern District of California

FEDERAL TRADE COMMISSION

Plaintiff

v.

NEXTCLICK MEDIA, LLC, et. al.

Defendant

CV 08

Civil Action No.

1718

~~WDB~~

VRW

## Summons in a Civil Action

To: NEXTCLICK MEDIA, LLC

(Defendant's name)

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

JANICE L. CHARTER, ATTORNEY  
FEDERAL TRADE COMMISSION  
901 MARKET STREET, SUITE 570  
SAN FRANCISCO, CA 94103

If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

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Richard W. Wieking

Name of clerk of court

HELEN L. ALHAGEM

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Attorney or Party without Attorney: Janice L. Charter, Esq. FEDERAL TRADE COMMISSION 901 Market Street, Suite 570 San Francisco, CA 94103 Attorney for: Plaintiff	Telephone (415) 848-5100	
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 b. Person Served: Aryn Pedowitz, Corporate Counsel, Authorized to Accept Service on Behalf
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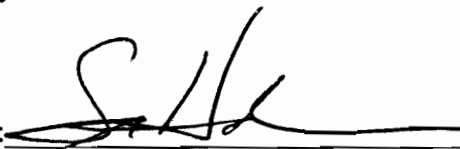
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Fee for Service: \$50.00

Person Serving: Sean Hanlon

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 San Francisco, CA 94107  
 (415) 487-0400

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DATE: May 31, 2008 Signature: 

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**United States District Court – Northern District of California**

**Federal Trade Commission v. Nextclick Media, LLC, et al, Case No. CV 08 1718 VRW**

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Attorney or Party without Attorney: Janice L. Charter, Esq. FEDERAL TRADE COMMISSION 901 Market Street, Suite 570 San Francisco, CA 94103 Attorney for: Plaintiff	Telephone (415) 848-5100	
Name of Court: United States District Court – Northern District of California		
Short Case Title: Federal Trade Commission v. Nextclick Media, LLC., et al		
PROOF OF SERVICE		Case Number: CV 08 1718 VRW

1. At the time of service I was at least 18 years of age and not a party to this action, and I served copies of the: ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; ORDER SETING CASE MANAGEMENT CONFERENCE [BLANK]; STANDING ORDER FOR ALL JUDGES OF THE NORTHERN DISTRICT OF CALIFORNIA REGARDING CONTENTS OF JOINT CASE MANAGEMENT STATEMENT; CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE [BLANK]
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4. Witness fees were not demanded or paid.

Fee for Service: \$50.00

Person Serving: Damon Votour  
 Registered California Process Server  
 County: San Francisco Registration #: 1034

SpinCycle Legal Services  
 760 Bryant Street, 2<sup>nd</sup> Floor  
 San Francisco, CA 94107  
 (415) 487-0400

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATE: April 1, 2008 Signature: \_\_\_\_\_

